



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/801,794	03/16/2004	Matthew B. MacLaurin	MS305756.01/MSFTP538US	1906

27195 7590 12/31/2007
AMIN. TUROCY & CALVIN, LLP
24TH FLOOR, NATIONAL CITY CENTER
1900 EAST NINTH STREET
CLEVELAND, OH 44114

EXAMINER

HARRISON, CHANTE E

ART UNIT	PAPER NUMBER
----------	--------------

2628

NOTIFICATION DATE	DELIVERY MODE
-------------------	---------------

12/31/2007

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

docket1@thepatentattorneys.com
hholmes@thepatentattorneys.com
osteuball@thepatentattorneys.com

Office Action Summary

Application No.

10/801,794

Applicant(s)

MACLAURIN, MATTHEW B.

Examiner

Chante Harrison

Art Unit

2628

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 October 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 4-23, 25 and 26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 4-10, 18-23 and 26 is/are rejected.
- 7) ☒ Claim(s) 11-17 and 25 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communications: Amendment, filed on 10/9/07.
2. Claims 1, 3-23, 25-26 are pending in the case. Claims 1, 19-21 and 26 are independent claims. Claims 1, 4, 15, 20, 21, 23, 25 and 26 have been amended. Claims 2,3 and 24 have been cancelled.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 3-10, 18-23 and 26 are rejected under 35 U.S.C. 102(b) as being anticipated by Edward Rowe et al, 6,073,148, 2000.

Regarding claim 1, Rowe discloses a drawing component (i.e. client computer) (col. 10, ll. 50-55) that determines visible items to a display (i.e. determines the order of objects for downloading to a computer) (col. 13-20, 30-35); and a logic component (i.e. implementor of process "74") that selectively defers layout of the visible items to the display in a just-in-time manner (col. 13, ll. 13-25), the logic component determines complexity of the visible items in order to defer the layout (i.e. determining whether there are shared objects related to the page to be downloaded) (col. 14, ll. 15-30; col.

19, ll. 25-30), and the logic component associates a flag with the visible items (col. 15, ll. 29-31), the flag being true for complex items (col. 18, ll. 35-41) and the flag being false for non-complex items (col. 18, ll. 42-46).

Regarding claim 4, Rowe discloses the complexity determined by a threshold number of subcomponents or children objects that are associated with the visible items (i.e. the number of subcomponents, e.g. shared objects, is associated with a page; if a page is of a minimal size, the page is not interleaved like a page with shared objects having a delayed display due to complexity; thus, a page of minimal size has a minimal number of shared objects) (col. 19, ll. 25-30; col. 20, ll. 55-61).

Regarding claim 5, Rowe discloses a rough layout component to determine an approximation for the visible items (i.e. upon request of data to be downloaded for display, the pages and corresponding shared objects are identified to determine the data that is to be initially displayed) (col. 23, ll. 39-42; col. 24, ll. 57-61; col. 25, ll. 1-10, 28-40).

Regarding claim 6, Rowe discloses a final layout component that renders the visible items to the display (i.e. if no more shared objects remain the remaining page contents are displayed; redrawing of data to display once all data is made available) (col. 27, ll. 25-40; col. 28, ll. 55-60).

Regarding claim 7, Rowe discloses the visible items are associated with subcomponents or children elements (i.e. shared objects) appearing within the visible items (col. 15, ll. 43-53).

Regarding claim 8, Rowe discloses the rough layout component performs a conceptual pass on the visible when a user interface object is constructed and added to a container (col. 34, ll. 2-6).

Regarding claim 9, Rowe discloses the rough layout component is controlled by an implementor of a class (col. 13, ll. 12-30).

Regarding claim 10, Rowe discloses the rough layout component determines property bounds of an object (col. 7, ll. 40-45; col. 25, ll. 35-40).

Regarding claim 18, Rowe discloses at least one application (i.e. a viewer application program), the application including at least one of a user interface component, a CAD system, a software development system, a modeling system, a drawing system, and a diagrammatic system (Fig. 2A).

Regarding independent claim 19, Rowe discloses a computer readable medium (col. 6, ll. 30-37) having computer readable instructions stored thereon for implementing at least one of the components of claim 1.

Regarding independent claim 20, Rowe discloses a system (Fig. 1) as similarly claimed in claim 1 and means for rendering the display items (i.e. displaying downloaded file data) (col. 5-6, ll. 65-14) based in part on the complexity value (col. 13, ll. 15-25, 30-65) and the flag (col. 18, ll. 35-45).

Regarding independent claim 21, Rowe discloses determining a rough layout for a collection of information items (i.e. upon request of data to be downloaded for display, the pages and corresponding shared objects are identified to determine the data that is to be initially displayed) (col. 23, ll. 39-42; col. 24, ll. 57-61);...and tagging non-complex items from the collection for immediate display (i.e. non-contents shared objects are identified and displayed first) (col. 18, ll. 44-46; col. 13, ll. 30-36; col. 14, ll. 50-53); and selectively tagging remaining complex items from the collection for display at a later time (i.e. shared objects identified as being related to multiple pages by a contents flag set to 1 are displayed later in the designated order of display) (col. 18, ll. 38-44; col. 13, ll. 50-65). Rowe discloses a method (Fig. 4, 10) for implementing the system of claim 1. The rationale as applied in the rejection of claim 1 applies herein.

Regarding claim 22, Rowe discloses providing a Final Layout function (i.e. completing layout of the page) (col. 27, ll. 25-40), a Layout Complete function (i.e. determining whether shared objects remain) (col. 27, ll. 25-40), and a Draw function to render items

to a display (i.e. redrawing of data to display once all data is made available) (col. 28, ll. 55-60).

Regarding claim 23, Rowe discloses the Rough Layout is invoked for components and subcomponents to be displayed, (i.e. upon request of data to be downloaded for display, the pages and corresponding shared objects are identified to determine the data that is to be initially displayed) (col. 23, ll. 39-42; col. 24, ll. 57-41), an approximation representation of a size of individual components and subcomponents is calculated (col. 25, ll. 1-10, 28-40).

Regarding independent claim 26, Rowe discloses a user interface (Fig. 2A) comprising: at least one display object (i.e. a page) for displaying contents of an information item (Fig. 2A); and at least one layout function (i.e. upon request of data to be downloaded for display, the pages and corresponding shared objects are identified to determine the data that is to be initially displayed) (col. 23, ll. 39-42; col. 24, ll. 57-61)

Claims 11-17 and 25 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

1. Applicant's arguments with respect to claims 1-26 have been considered but are moot in view of the new ground(s) of rejection.

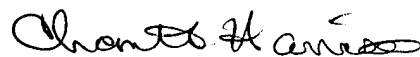
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chante Harrison whose telephone number is 571-272-7659. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kee Tung can be reached on 571-272-7794. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Chante Harrison
Examiner
Art Unit 2628



Ch
December 20, 2007